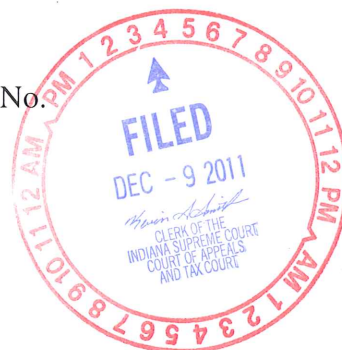


**In the  
Indiana Supreme Court**

STATE OF INDIANA <i>ex rel.</i>	)	Supreme Court Cause No.
Kenneth J. HAYES,	)	52S00-1110-OR-635
Relator,	)	
	)	
v.	)	
	)	
THE MIAMI SUPERIOR COURT and	)	
THE HON. J. DAVID GRUND, as Judge	)	
Thereof,	)	Trial Court Cause No.
Respondents.	)	52D01-1003-GU-00003



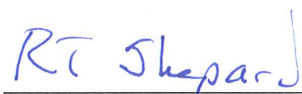
ORDER

Relator, by counsel, filed a verified petition for writ of mandamus and other application papers under the Original Action Rules. Relator seeks a writ that would require the trial court to grant his motion for change of judge. A response opposing issuance of the writ and a supplemental record have been filed.

Each member of the Court has had an opportunity to review and consider the materials filed in this original action. All five Justices have voted to deny the writ. Accordingly, the Court DENIES Relator's petition for a writ of mandamus. This order is final. Motions to reconsider or petitions for rehearing are not allowed. Ind. Original Action Rule 5(C).

The Clerk is directed to send a copy of this order to the Hon. J. David Grund, Judge, Miami Superior Court; H. Joseph Certain and Rebecca Loeffler, 300 W. Third Street, Marion, IN 46952; Jeffry G. Price, 15 S. Wabash Street, Peru, IN 46970; Stephen L. Wilson, 123 N. Jefferson, P.O. Box 690, Converse, IN 46919; and Don Gallaway, 141 S. Adams Street, Marion, IN 46952. The Clerk is also directed to post this order to the Court's website.

Done at Indianapolis, Indiana, this 9<sup>th</sup> day of December, 2011.

  
\_\_\_\_\_  
Randall T. Shepard  
Chief Justice of Indiana

Shepard, C.J., and Dickson, Sullivan, Rucker, and David, JJ., vote to deny the writ.